



**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS**

In re:

Westborough SPE LLC

Debtor

Chapter 7
23-40709-CJP

ORDER

MATTER:

#229 Motion filed by Creditor Lolonyon Akouete to Compel Release of Appraisal and Related Documents.

Denied.

Lolonyon Akouete (the "Movant") appears to be seeking an order compelling discovery from the Town of Westborough and others, but it does not appear that the Movant has served any discovery requests. It appears that Movant believes that the Town has information that may be relevant to Movant's opposition [ECF No. 191] to a motion filed by the Chapter 7 Trustee to compromise certain claims of the estate [ECF No. 190]. The Movant represents that he has made informal requests that certain documents be produced to him, which have been denied. After filing his opposition on July 11, 2024, the Movant became entitled to serve discovery in relation to that contested matter. *See* Fed. R. Bankr. P. 9014(c). Apparently, he has not served formal discovery. The Court may not "compel" a response to discovery that has not been served.

The Movant may request subpoenas from the Clerk of Court to be issued to specific parties identified in the Motion, subject to any appropriate objections. The Court encourages the Town of Westborough to consider producing responsive information, not otherwise subject to objection, as soon as possible. Otherwise, the Court will consider the necessity of discovery at the hearing on approval of the proposed compromise.

Dated: 08/09/2024

By the Court,

A handwritten signature in black ink, reading "Christopher J. Panos".

Christopher J. Panos
United States Bankruptcy Judge